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SENATE

REPORT
No. 146

MRS. SUZANNE WIERNIK AND HER DAUGHTER, GENEVIEVE

MARCH 5 (legislative day, JANUARY 29), 1951.—Ordered to be printed

MR. McCARRAN, from the Committee on the Judiciary, submitted
the following

REPORT

[To accompany S. 364]

The Committee on the Judiciary, to which was referred the bill (S. 364) for the relief of Mrs. Suzanne Wiernik and her daughter, Genevieve, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mrs. Suzanne Wiernik and her minor daughter, Genevieve. Provision is made for appropriate quota deductions and for the payment of the required visa fees and head taxes.

STATEMENT OF FACTS

The beneficiaries of the bill are mother and daughter, 36 and 13 years of age, respectively. The mother is a native of Poland but claims French citizenship through her husband who is now deceased. The daughter is a native and citizen of France. They last entered the United States as visitors on July 16, 1948, and are presently residing with, and being supported by, an uncle who is a United States citizen living in Paterson, N. J. It is stated that the beneficiaries of the bill are the sole survivors of a family of approximately 60 people in Europe, lost either in the war or in the pogrom in Poland.

A letter dated December 15, 1949, to the chairman of the Senate Committee on the Judiciary from the Assistant to the Attorney

General with reference to S. 1110, which was a bill introduced in the Eighty-first Congress for the relief of the same aliens, reads as follows:

DECEMBER 15, 1949.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 1110) for the relief of Suzanne Wiernik and her daughter, aliens.

The bill would provide that Mrs. Suzanne Wiernik and her daughter, Genevieve, shall be considered to have been lawfully admitted to the United States for permanent residence as of July 16, 1948, upon the payment by them of the required head taxes and visa fees. It would also direct the Secretary of State to instruct the quota-control officers to deduct one number from the nonpreference category of the first available immigration quota for nationals of Poland and one number from the nonpreference category of the first available immigration quota for nationals of France.

The files of the Immigration and Naturalization Service of this Department disclose that Sura Brandla Wiernik, nee Citron, also known as Suzanne Wiernik, is a native of Poland, having been born in Checiny in that country on February 26, 1914. She claims French citizenship through marriage to her husband, who is deceased. Her daughter, Genevieve, is a native and citizen of France, having been born in Paris on January 11, 1938. They arrived in the United States at the port of New York on July 16, 1948, when they were admitted as visitors under section 3 (2) of the Immigration Act of 1924 for a temporary period of 3 months. They have remained here longer than permitted under the terms of their admission but proceedings to enforce their departure from this country were ordered deferred pending consideration of this bill.

The files further reflect that the aliens are residing with Mr. and Mrs. Joseph Citron of Patterson, N. J., Mr. Citron being the uncle of Mrs. Wiernik. Mr. Citron stated that he is a naturalized citizen and a merchant by occupation, and, further, that he is willing and able to guarantee the aliens' support and insure that they will not become public charges. He is presently supporting them, but Mrs. Wiernik stated that she is a seamstress by occupation.

The quota of Poland, to which the aliens are chargeable, is oversubscribed for several years and quota immigration visas are not readily obtainable. While the bill provides for the deduction of one number from the French quota, it is noted that, although the daughter was born in France, she is under 21 years of age and was accompanied by her mother, who was not born in the United States. Therefore, under section 12 (a) of the Immigration Act of 1924, her nationality is determined by the country of the birth of her mother, which is Poland. The record, however, fails to present considerations justifying the enactment of special legislation granting them a preference over the many other aliens in Poland and other foreign countries who are awaiting an opportunity to come to this country for permanent residence.

Accordingly, this Department is unable to recommend enactment of this measure.

Yours sincerely,

PEYTON FORD,
The Assistant to the Attorney General.

Senator H. Alexander Smith, the author of the bill, has submitted the following information in connection with the case:

UNITED STATES SENATE,
March 25, 1949.

The Honorable PAT McCARRAN,
Chairman, Senate Judiciary Committee,
Senate Office Building, Washington, D. C.

DEAR SENATOR McCARRAN: In reply to your letter of March 9 relative to Senate bill, S. 1110, which I introduced in behalf of Mrs. Suzanne Wiernik and her daughter, Genevieve, age 11, Polish nationals, enclosed you will find, in duplicate, the information which you requested I forward to the Senate Judiciary Committee.

I am sincerely and deeply interested in being of aid to this unfortunate woman and her daughter, and I would be very grateful for all possible consideration which the Judiciary Committee may extend to this humanitarian legislation.

Always cordially yours,

H. ALEXANDER SMITH.

1. I, Mrs. Suzanne Wiernik, age 34, was born in Poland and went to France in 1931. I married Mr. Wiernik in France, lived in Paris, where our daughter Genevieve, now age 11, was born.

My husband became a French citizen, served in the French Army, and was killed in action during the war. I continued to live in Paris and when the German Army came, after my husband was killed, I was separated from my child for 1½ years, and I had to remain hidden during that time so as not to be captured by the Germans for slave labor.

2. My daughter and I arrived in the United States via a visitor's visa on July 16, 1948. The visa was for a period of 6 months, and it has been extended for an additional 6 months.

I am now living with my uncles, Joseph and Isidore Citron of 403 East Twenty-sixth Street, Paterson, N. J. They are very well-to-do merchants and have been in the haberdashery business in Paterson, N. J., for the last 30 years.

I am the last member of my family in Europe. We had a total of approximately 60 in our family abroad all of whom have been lost either during the war, or in the pogrom in Poland, and I am the only one left.

3. I am dependent upon my uncles for support as advised above. However, there is no financial problem involved as both my uncles have means and large homes, and I am not in any way interfering with any American citizen's efforts to find housing.

4. I am not engaged in any activities, political or otherwise, which would be injurious to the American public interest.

5. I have never been convicted of any criminal offense.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 364) should be enacted.

